

REMARKS/ARGUMENTS

Claims 1-20 are currently active in this case.

In the outstanding office action, claims 1, 7-9, 16, and 20 were rejected under 35 USC 102(a) as being anticipated by published European Patent Application 1 244 043 A2 to Dadong et al.; claims 9 and 11 were rejected under 35 USC 102(e) as being anticipated by published U.S. Patent Application No. 2005/0113066 to Hamberg; and claims 12 and 15 were rejected under 35 USC 103(a) as being unpatentable over Dadong et al. in view of Hamberg.

Claims 2-6, 10, 13, 14, and 17-19 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter.

Briefly recapitulating, the present invention is directed to a mobile communication terminal and a mobile communication method. Claim 1 defines a mobile communication terminal including means for receiving identification information from at least one mini-communicator (by way of a non-limiting example, an RFID transponder) which transmits predetermined identification information of its own; means for communicating with a server or another terminal via a cellular communication network; and means for receiving a switching signal for switching among a plurality of modes including an identification receive mode activating only the means for receiving identification information, and a cellular communication mode activating only the means for communicating. Such a configuration enables a reduction in power consumption and addresses traffic issues on a cellular communications system. See the specification at page 2, lines 8-21.

Regarding claims 1, 9, 16, and 20, the official action asserts Dadong et al. disclose “means for receiving a switching signal for switching among a plurality of modes ... and for performing a mode switching control based on the received switching signal” Applicants respectfully traverse. Dadong et al. teach a mobile terminal 204 having an RF receiver 206

and that the mobile terminal 204 can communicate with a base station in a wireless manner. However, Dadong et al. do not teach or suggest means for receiving a switching signal for switching among a plurality of modes including an ID receive mode activating *only* the means for receiving identification information, and a cellular communication mode activating *only* the means for communicating. Consequently, Dadong et al. are not believed to anticipate or render obvious the subject matter recited by claim 1. Claims 16 and 20 are a method analog and a control program analog of claim 1 and are believed to be allowable for at least the same reason that claim 1 is believed to be allowable. Claim 9 is directed to a server configured to communicate with a mobile communication terminal. The server includes “means for transmitting to the mobile communication terminal a switching signal according to a predetermined mode switching request” Claim 9 is also believed to be allowable for at least the same reasons that Claim 1 is allowable.

Regarding claims 9 and 11, the official action asserts Hamberg discloses a server including “means for transmitting to the mobile communication terminal a switching signal according to a predetermined mode switching request” Applicants respectfully traverse. Hamberg discloses a server 150 which enables a user to upload a tag 138. However, Hamberg does not teach or suggest means for transmitting to the user’s device a switching signal according to a predetermined mode switching request in order to implement switching among a plurality of modes. Consequently, Hamberg is not believed to anticipate or render obvious the subject matter recited by claims 9 or 11.

Regarding claims 12 and 15, the official action concedes that Dadong et al. fail to disclose the means for transmitting a switching signal feature. However, the official action asserts that Hamberg teaches such a feature. Applicants submit for the reasons addressed in the paragraph above, Hamberg fails to teach or suggest the means for transmitting a switching signal feature. Consequently, Dadong et al. are not believed to anticipate or render

Application No. 10/731,147
Reply to Office Action of February 23, 2006

obvious the subject matter recited by claims 12 or 15 when considered alone or in combination with Hamberg.

Consequently, no further issues are believed to be outstanding and the application is believed to be in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

W. Todd Baker
Registration No. 45,265